

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-CR-215

MAURICE DAVIS, et al.,

Defendants.

ORDER

On April 16, 2007, Magistrate Judge William E. Callahan, Jr. issued a recommendation as to Lawrence Butler's and Tavarious Wallace's pretrial motions. Butler filed timely objections to Magistrate Callahan's recommendation, and in a separate order, this court has affirmed Magistrate Callahan's recommendation that Butler's motions be denied. Neither the government nor Wallace filed timely objections to Magistrate Callahan's recommendation that Wallace's motion for disclosure of certain evidence pursuant to Rule 404(b) of the Federal Rules of Evidence be granted and that his motion for a bill of particulars be denied. Therefore, pursuant to Local Rule 72.3 and 28 U.S.C. § 363(b)(1), the court will adopt Magistrate Callahan's recommendation as to Wallace's pretrial motions. See *United States v. Edwards*, 894 F. Supp. 340, 341 (E.D. Wis. 1995) (holding that in the absence of timely filed objections to the magistrate's recommendation and order, a de novo review of issues is not required). Additionally, to ensure both the orderly

and timely adjudication of this multi-defendant case, the court now directs that counsel for the government confer with counsel for each defendant and thereafter, file not later than August 17, 2007, a written status report addressing the likelihood of each defendant resolving his or her case short of trial. Upon receipt of such report, the court will schedule further proceedings as may be necessary.

Accordingly,

IT IS ORDERED that Magistrate Callahan's Recommendation [Docket # 102] be and the same is hereby **ADOPTED**;

IT IS FURTHER ORDERED that Tavarious Wallace's motion for disclosure of evidence [Docket # 67] be and the same is hereby **GRANTED**;

IT IS FURTHER ORDERED that Tavarious Wallace's motion for a bill of particulars [Docket # 68] be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that on or before August 17, 2007, the government, in consultation with each defendant's attorney, is to file a detailed status report indicating the likelihood of each defendant proceeding to trial.

Dated at Milwaukee, Wisconsin this 1st day of August, 2007.

BY THE COURT:

s/ J. P. Stadtmueller
J. P. Stadtmueller
U.S. District Judge